



Memorandum

DATE: February 11, 2016

TO: Menasha Common Council

FROM: Mark Radtke, Director of Public Works *MR*

RE: Amendment No. 3 to Third Street Bridge Design Agreement (WisDOT/Ayres Associates/City of Menasha)

We were recently notified by Ayres Associates of the need to execute an amendment to the three party agreement for the design of the Third Street Bridge (see enclosed). There are two reasons for the requested amendment. This project requires right of way from a small portion of Jefferson Park. Because Jefferson Park received federal Land and Water Conservation (LAWCON) grant funds in the past, the consultant was required to complete a full environmental report. Included in the federal review of the report is the need for National Park Service to review and approve the document which has required additional coordination effort by the consultant.

Additionally, WisDOT recently advanced the bid letting date for this project which required revisions to the Plans, Specifications and Estimate documents resulting in additional consultant work efforts. Neither of these work items were included in the original scope of work so this amendment will cover the additional associated costs.

The additional costs will not exceed \$1,937.96. The terms of our project agreement with WisDOT stipulate the City will be responsible for 20% of design costs, meaning the City's cost for this additional work will not exceed \$387.59. There are sufficient funds included in the 2016 Budget for this work. I recommend approval of the proposed amendment. WisDOT has approved the amendment.

Enclosure

AMENDMENT NO. 3 TO THE CONTRACT
BETWEEN City of Menasha (MUNICIPALITY),
THE WISCONSIN DEPARTMENT OF TRANSPORTATION
AND Ayres Associates Inc (CONSULTANT) FOR

Project ID 4992-01-00
C Menasha, Third St
Lake Winnebago Slough & Approaches
Local Street
Winnebago County

The contract made and entered into by and between the MUNICIPALITY, DEPARTMENT and CONSULTANT, dated December 19, 2014 and amended on February 26, 2015, and August 14, 2015 is hereby amended as set forth on the following pages.

The primary reason(s) for this amendment:

Additional coordination to complete the Section 6(f) document and get approval from the National Park Service.

Changes to PS&E PROJECT documents, due to recent change in the let date.

For design services, actual costs to the CONSULTANT up to \$80,826.70 (an increase of \$1,821.87), plus a fixed fee of \$5,106.12 (an increase of \$116.09), not to exceed \$85,932.82 (**an increase of \$1,937.96**).

For subsurface investigation subcontracted to River Valley Testing Corp., the CONSULTANT'S actual cost to River Valley Testing Corp. not to exceed \$4,775.00 (**no change**) for units delivered based on rates in the proposal dated October 1, 2014.

For title searches subcontracted to Bay Title & Abstract, Inc, the CONSULTANT's actual cost to Bay Title & Abstract, Inc not to exceed \$900.00 (**no change**) for units delivered based on rates in the proposal dated October 3, 2014.

For an archaeological report subcontracted to Commonwealth Cultural Resources Group, Inc. (CCRG), the CONSULTANT's actual cost to Commonwealth Cultural Resources Group, Inc. based on Commonwealth Cultural Resources Group, Inc. actual cost up to \$601.27 plus fixed fee of \$54.80 not to exceed \$656.08 (**no change**).

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT shall be for an amount not to exceed \$92,263.90 (**an increase of \$1,937.96**).

The DEPARTMENT REPRESENTATIVE is: Rich Glen, PE, JT Engineering, Inc.; 1077 Centennial Centre Blvd., Hobart, WI 54155, richglen@jt-engineering.com; 920.468.4771.

The MUNICIPALITY REPRESENTATIVE is Mark Radtke, PE, Director of Public Works; 140 Main Street, Menasha, WI 54952, mrادتke@ci.menasha.wi.us; 920.967.3610.

The CONSULTANT REPRESENTATIVE is: Troy Robillard; 3376 Packerland Drive Ashwaubenon, WI 54115; Robillardt@AyresAssociates.com; 920.498.1200.

In witness whereof, the parties hereto have caused this amendment to be executed and approved on the date signed by their authorized officers or representatives.

For the CONSULTANT

By: _____

Title: Transportation Manager _____

Date: _____

For the DEPARTMENT

By: _____

Title: _____

Date: _____

For the MUNICIPALITY

By: _____

Title: _____

Date: _____

THREE PARTY DESIGN CONTRACT SPECIAL PROVISIONS is amended by this amendment as follows for this design contract:

B. ENVIRONMENTAL DOCUMENTATION is amended as follows:

(6) Section 6(f) Evaluation:

Alternative analysis and changes to design to minimize the impacts to Jefferson Park, as well as coordination with DNR, City and MC for acceptable replacement lands.

N. PROSECUTION AND PROGRESS is amended as follows:

(3) The following items of work will be completed and submitted to the MUNICIPALITY by the indicated dates:

90% Plan, Estimate & Road Builders Quantities Submittal	Dec 1, 2015
Final Structure Plans	Dec 1, 2015
Final PS&E & Road Builders Quantities Submittal	Feb 1, 2016
Letting Date	May 10, 2016 (revised)

CONSULTANT DIRECT LABOR RATES

4992-01-00 (Amendment 3)
C Menasha, Third St
Lake Winnebago Slough & Approaches
Local Street
Winnebago County

Contract Complete Date: 7/15/2016
Revised: 01/04/18

Employee Identification	Classification	Current Rate	% Labor Increase	New Labor Rate	Date of Increase	% Labor Increase	New Labor Rate	Date of Increase
Emp. No. 02009	Project Manager	\$ 52.78	2.80%	\$ 54.25	1/1/17	2.80%	\$ 55.78	1/1/18
Emp. No. 02050	Engineer 2	36.80	2.80%	36.89	1/1/17	2.80%	41.00	1/1/18
Emp. No. 02777	Engineer 1	31.39	2.80%	32.27	1/1/17	2.80%	33.17	1/1/18
Emp. No. 2010	Clerical	19.28	2.80%	19.82	1/1/17	2.80%	20.37	1/1/18
		-	2.80%	-	1/1/17	2.80%	-	1/1/18
		-	2.80%	-	1/1/17	2.80%	-	1/1/18
		-	2.80%	-	1/1/17	2.80%	-	1/1/18
		-	2.80%	-	1/1/17	2.80%	-	1/1/18
		-	2.80%	-	1/1/17	2.80%	-	1/1/18
		-	2.80%	-	1/1/17	2.80%	-	1/1/18
		-	2.80%	-	1/1/17	2.80%	-	1/1/18
		-	2.80%	-	1/1/17	2.80%	-	1/1/18

Employee Identification	Classification	% Work at 02/16 to 12/16 Rate	% Work at 01/17 to 12/17 Rate	% Work at 01/18 to 12/18 Rate	% Work at 01/19 to 12/19 Rate	% Work at 01/20 to 12/20 Rate	% Work at 01/21 to 12/21 Rate	Weighted Average Hourly Rate
Emp. No. 02009	Project Manager	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	\$ 52.78
Emp. No. 02050	Engineer 2	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	36.80
Emp. No. 02777	Engineer 1	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	31.39
Emp. No. 2010	Clerical	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	19.28
		100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	-
		100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	-
		100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	-
		100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	-
		100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	-
		100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	-
		100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	-

4992-01-00 (Amendment 3)
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[illegible]

FEE COMPUTATION BY ENGINEERING TASK

4992-01-00 (Amendment 3)
C Menasha, Third St
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Local Street
Winnebago County

Revised: 01/04/16

TASK	ACTIVITY CODE	Direct Labor Costs	Indirect Costs	Direct Expenses	Fixed Fee	TOTAL
Administration	740	52.78	97.35	-	9.57	159.69
Reports	748	-	-	-	-	-
Environmental	767	-	-	-	-	-
Agency, Utility & Railroad	746	348.36	642.52	-	63.14	1,054.02
Public Involvement	743	-	-	-	-	-
Survey	729	-	-	-	-	-
Soils Investigation	644	-	-	-	-	-
Preliminary Roadway	741	-	-	-	-	-
Preliminary Structure	1001	-	-	-	-	-
Final Roadway	742	-	-	-	-	-
Final Structure	1002	-	-	-	-	-
P S & E	794	239.37	441.49	-	43.39	724.25
Right-of-Way	745	-	-	-	-	-
Meetings & Conferences	747	-	-	-	-	-
Management of Subconsultants	773	-	-	-	-	-
Real Estate	267	-	-	-	-	-
Traffic	785	-	-	-	-	-
	0	-	-	-	-	-
	0	-	-	-	-	-
	0	-	-	-	-	-
	0	-	-	-	-	-
	0	-	-	-	-	-
	0	-	-	-	-	-
	0	-	-	-	-	-
TOTALS		640.51	1,181.36	-	116.09	1,937.96

Indirect Home Office Rate 184.44%
Fixed Fee: 7.25%

CONSULTANT CONTRACT TOTAL FEE COMPUTATION

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01/04/16

	Original	Amendment 1 4992-01-00	Amendment 2 4992-01-00	Amendment 3 4992-01-00	TOTAL CONTRACT
Number of Staff Hours	776	6	77	16	875
Total Direct Labor	\$ 24,811.81	\$ 202.78	\$ 2,516.53	\$ 640.51	\$ 28,171.63
Indirect Home Office Rate 184.44%	45,561.93	372.37	4,641.48	1,181.36	51,757.14
Fixed Fee (% of Labor * 2.5) 7.25%	4,497.15	36.76	456.12	116.09	5,106.12
Non-Labor Direct Charges	848.43		49.50	-	897.93
Sub-Total Ayres Associates	\$ 75,719.32	\$ 611.91	\$ 7,663.63	\$ 1,937.96	\$ 85,932.82
River Valley Testing	\$ 4,775.00				\$ 4,775.00
Bay Title and Abstract, Inc	900.00				900.00
CCRG	-	656.08			656.08
	-				-
	-				-
	-				-
	-				-
	-				-
	-				-
	-				-
Sub-Total Subconsultants	\$ 5,675.00	\$ 656.08	\$ -	\$ -	\$ 6,331.08
Total	\$ 81,394.32	\$ 1,267.99	\$ 7,663.63	\$ 1,937.96	\$ 92,263.90

